



Registration and Regulation Committee

Adopted in House Comm. on Jul 11, 2007

09500SB0128ham001

LRB095 05003 RAS 37644 a

1 AMENDMENT TO SENATE BILL 128

2 AMENDMENT NO. _____. Amend Senate Bill 128 on page 27, by
3 replacing lines 14 through 19 with the following:

4 "report, the ~~The~~ Board shall have at least 60 days after
5 receipt of the report to review it and ~~to~~ present its findings
6 of fact, conclusions of law and recommendation to the Secretary
7 ~~Director~~. If the Board does not present its report within the
8 60 days period, the respondent may request in writing a direct
9 appeal to the Secretary, in which case the Secretary shall,
10 within 7 calendar days after the request, issue an order
11 directing the Board to issue its findings of fact, conclusions
12 of law, and recommendations to the Secretary within 30 calendar
13 days after such order. If the Board fails to issue its findings
14 of fact, conclusions of law, and recommendations within that
15 time frame to the Secretary after the entry of such order, the
16 Secretary shall, within 30 calendar days thereafter, issue an
17 order based upon the report of the hearing officer and the
18 record of the proceedings or issue an order remanding the

1 matter back to the hearing officer for additional proceedings
2 in accordance with the order. If (i) a direct appeal is
3 requested, (ii) the Board fails to issue its findings of fact,
4 conclusions of law, and recommendations within the 30-day
5 mandate from the Secretary or the Secretary fails to order the
6 Board to do so, and (iii) the Secretary fails to issue an order
7 within 30 calendar days thereafter, then the hearing officer's
8 report is deemed accepted and a final decision of the
9 Secretary. Notwithstanding any other provision of this
10 Section, if the Secretary, upon review, determines that
11 substantial justice has not been done in the revocation,
12 suspension, or refusal to issue or renew a license or other
13 disciplinary action taken as the result of the entry of the
14 hearing officer's report, the Secretary may order a rehearing
15 by the same or other examiners ~~the Director may issue an order~~
16 ~~based on the report of the hearing officer.~~ If the Secretary
17 Director".